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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 ANTHONY EUGENE LEWIS,

10 Petitioner,

11 v.

12 JEFFREY UTTRECHT,

13 Respondent.
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Case No. C08-1239RSL

ORDER GRANTING MOTION FOR
EXTENSION OF TIME TO FILE
MOTION FOR
RECONSIDERATION; DENYING
MOTION FOR
RECONSIDERATION

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16 This matter comes before the Court on petitioner's motion for an extension of time
17 to file a motion for reconsideration of the Court's order dismissing his Section 2254
18 petition for habeas corpus (Dkt. #19, the "Order"). Petitioner complains that he did not
19 receive a copy of the Order until February 9, 2009, and he was in segregation on that day.
20 Although he was released the following day, he did not have access to the law library
21 until February 12, 2009. Petitioner's motion for an extension of time to file a motion for
22 reconsideration (Dkt. #21) is GRANTED. Petitioner filed his motion for reconsideration
23 on February 23, 2009, and the Court considers it to be timely.

24 Petitioner requests that the Court appoint him counsel to pursue his motion for
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26 ORDER GRANTING MOTION FOR AN EXTENSION;
DENYING MOTION FOR RECONSIDERATION - 1

1 reconsideration. The Court has denied petitioner's two previous motions for appointment
2 of counsel. (Dkt. ##15, 17). The Court denies this third request for the same reasons set
3 forth in the prior orders.

4 Turning to the merits of petitioner's motion, the applicable Local Rule states,
5 "Motions for reconsideration are disfavored. The Court will ordinarily deny such
6 motions in the absence of a showing of manifest error in the prior ruling or a showing of
7 new facts or legal authority which could not have been brought to its attention earlier with
8 reasonable diligence." Local Rule 7(h). Petitioner has not shown manifest error in the
9 prior ruling. Nor has he shown new facts or legal authority which could not have been
10 brought to the Court's attention earlier. Instead, he reiterates the arguments he made in
11 his response to the motion to dismiss and in his objections to the Report and
12 Recommendation. He has not shown a basis for reconsideration of the order of dismissal.

13 Accordingly, petitioner's motion for reconsideration (Dkt. #23) is DENIED.

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15 DATED this 2nd day of March, 2009.

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18 Robert S. Lasnik
19 United States District Judge
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